

|  |  |                             |
|--|--|-----------------------------|
| <b>CONTINUED PROSECUTION APPLICATION (CPA)</b><br><b>REQUEST TRANSMITTAL (Small Entity)</b><br>Submit an original, and a duplicate for fee processing.<br><i>(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))</i> |  | Docket No.<br>480.97-1 (HV) |
| <input type="checkbox"/> <b>DUPLICATE</b> (Check box if applicable)  |  |                             |

|                      |          |                |
|----------------------|----------|----------------|
| First Named Inventor | Examiner | Group/Art Unit |
| CHOUDARY             | HELMS, L | 1532           |

RECEIVED

MAY 23 2001

TECH CENTER 1600/2900

Address to:  
 Assistant Commissioner for Patents  
 Box CPA  
 Washington, D.C. 20231

This is a request for filing a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d), (continued prosecution application (CPA)) of prior application number 09/425,075 filed on OCTOBER 21, 1999 and entitled:

**FUNCTIONALLY ASSEMBLED ANTIGEN-SPECIFIC INTACT RECOMBINANT ANTIBODY AND A METHOD FOR PRODUCTION THEREOF**

1. ☒ Enter the unentered amendment <sup>(s)</sup> previously filed on 2/14/01 & 3/15/01 under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is being filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

05/22/2001 GTEFFERA 00000093 09425075

 01 FC:231  
 02 FC:202

 355.00 OP  
 40.00 OP

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☒ Small Entity Status:
  - a. ☐ A small entity statement is enclosed.
  - b. ☒ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
6. ☒ The fee for this application is calculated as follows:

## CLAIMS AS FILED

| For  | #Filed | #Allowed | #Extra | Rate      | Fee      |
|--|--------|----------|--------|-----------|----------|
| Total Claims   | 14     | - 20 =   | 0      | x \$9.00  | \$0.00   |
| Indep. Claims  | 4      | - 3 =    | 1      | x \$40.00 | \$40.00  |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |        |          |        |           | \$0.00   |
| BASIC FEE  |        |          |        |           | \$355.00 |
| TOTAL FILING FEE   |        |          |        |           | \$395.00 |

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

7. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16-1331

- ☐ fees required under 37 C.F.R. 1.16.
- ☐ fees required under 37 C.F.R. 1.17.
- ☒ fees required under 37 C.F.R. 1.18.

8. ☒ A check in the amount of \$395.00 is enclosed.

9. ☐ An Information Disclosure Statement (IDS) is enclosed:

- a. ☐ PTO-1449
- b. ☐ Copies of IDS Citations

10. ☐ Also enclosed:

11. ☒ The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below:

**CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL (Small Entity)**  
**(Only for Continuation or Divisional Applications Under 37 CFR 1.53(d))**

**NOTES**

**Submit an original, and a duplicate for fee processing.**

**FILING QUALIFICATIONS:** The prior application must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 USC 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. 1.53(d), but must be filed under 37 C.F.R. 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. 1.53(b) must be used to file a continuation, divisional or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the Applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or application in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. 1.78(a).

Dated: May 15, 2001

  
Signature

HANA VERNY

Typed or printed name

30,518

Registration Number (if applicable)

- ☐ Inventor(s)  
☐ Assignee of complete interest  
☒ Attorney or agent of record

cc:

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **CHOUDARY, ET AL.**

Docket No.

480.97-1 (HV)

Serial No.

09/435,075

Filing Date

OCTOBER 21, 1999

Examiner

HELMS, L.

Group Art Unit

1642

Invention: **FUNCTIONALLY ASSEMBLED ANTIGEN-SPECIFIC INTACT RECOMBINANT ANTIBODY AND A METHOD FOR PRODUCTION THEREOF****RECEIVED**

MAY 23 2001

TECH CENTER 1600/2900

I hereby certify that the following correspondence:

**CONTINUED PROSECUTION APPLICATION***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

**MAY 15, 2001***(Date)***HANA VERNY (REG. NO. 30,518)***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EL700013312US***("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**



1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

CHOUDARY, ET AL.

Serial No.: 09/425,075

Filed: OCTOBER 21, 1999

For: FUNCTIONALLY ASSEMBLED ANTIGEN-SPECIFIC  
INTACT RECOMBINANT ANTIBODY AND A  
METHOD FOR PRODUCTION THEREOF

BOX CPA

Assistant Commissioner for Patents  
Washington, D.C. 20231

Group Art Unit: 1642

Examiner: HELMS, L.

Sir:

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Label No.: EL700013312US in an envelope addressed to: Box CPA, Assistant Commissioner for Patents, Washington, D.C. 20231 on May 15, 2001.

  
Hana Verny (Reg. No. 30,518)

**PRELIMINARY AMENDMENT**

This Preliminary Amendment is filed concurrently with filing the Continuing Prosecution Application.

In the Claims

Please prosecute claims 1-5, 8-13 and 19-21 as amended on February 14, 2001 and March 15, 2001.

The following is a clean copy of the claims to be examined.

1. (Twice Amended) A method for a production of about 10-36 mg/l of a recombinant antigen-specific entire intact monoclonal

81

21/E  
(C)  
6-1-01